

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, June 27, 2006, Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, Addie Wiseman, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Ms. Connie Acosta, Division Chief, Labor Division, Legal Department; Mr. Xavier Herrera Citizens Assistance Office; Ms. Marty Stein, Agenda Director; present.

At 2:04 p.m. Mayor White called the meeting to order and called on Council Member Garcia to begin presentations. Council Member Garcia invited Mr. Jesse Bain to the podium and stated that he was a young man who was a graduate of Spring High School, graduating with an SAT in reading and writing combined of 1290 holding at the 92 percentile overall and putting him at the 95 percentile among Hispanic students; that the University of Texas put \$12,000.00 on the table and Texas A & M put \$12,000.00 as well, but the University of Arizona stole him with an \$80,000.00 scholarship; and invited his family and friend to stand to be recognized; and Mayor White stated that he thought he selected the right young man to honor; and Council Member Garcia stated that he was graduating with a 4.3 GPA and perfect was 4.0; and Mayor White presented him with two certificates, one for celebrating his academic achievements and the other for being selected as a scholar for the 2005/2006 National Hispanic Recognition Program. Council Members Johnson, Clutterbuck, Wiseman, Holm, Lovell and Sekula-Gibbs absent.

Council Member Alvarado stated that she was present to talk about a favorite subject, Bike to Work, and she wanted to congratulate the work of Lilly Beth who was involved with the program a couple of years and did an outstanding job in creating awareness of bicycles on the road and encouraging people to use bike trails; and invited those who came in at honorable mention, Hewlett Packard, who participated three years in a row and the Galleria Team organized commuters from various parts of town to ride in the Galleria Area and their work was appreciated and first place of the corporate challenge went to Energy Corridor Management District with 135 cyclist and it was their second year in a row; and invited those present to the podium; and Ms. Lilly Beth introduced the chair of the Houston Pedestrian Bicycle Advisory Committee who presented Council Member Alvarado a Certificate of Appreciation for participating five years in making Houston a more friendly bicycle city and an inspiration to cyclist; and Council Member Alvarado thanked them for the recognition and congratulated all winners. Council Members Johnson, Clutterbuck, Wiseman and Sekula-Gibbs absent.

Council Member Edwards stated that it was again time to recognize and honor city employees who went beyond the 9:00 to 5:00 and Monday through Friday job to do the extraordinary and invited Council Member Lawrence to present the first Bravo Award. Council Member Lawrence invited the Abercia family to the podium and stated that there were many great HPD officers in Houston and today they were recognizing Officer Patrick Abercia, a 21 year department veteran currently serving in the Long Point Differential Response Team of the Northwest Patrol Division; and presented him a Bravo Award for being an absolute credit to HPD and for his tireless efforts in having helped make Spring Branch a safer and happier community. Council Member Edwards invited Ms. Denise Adams and those present with her to the podium and stated that Ms. Adams was a microcomputer analyst at the Houston Library; and presented her a Bravo Award for exemplifying the spirit of volunteerism, always looking to aid an employee and opportunities to improve her community. Council Member Edwards invited Mayor White to present the next Bravo Award; and Mayor White invited District Chief Thomas Dowdy and his family to the podium and stated that District Chief Dowdy was a 33 year veteran of the Fire Department who received the Fire Chief's Medal of Commendation for his unflinching efforts assisting the family of fallen firefighter Captain Grady Burke; and presented him a Bravo Award for instilling a sense of "Customer Service" among his fleet employees and volunteering with youth services.

At 2:27 p.m. Council Member Green led all in the prayer and pledge.

At 2:28 p.m. the City Secretary called the roll. All present.

Council Members Khan and Garcia moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. MOTION ADOPTED

Council Member Garcia stated that on a point of personal privilege he wanted to introduce a group of young ladies who represented the Katy Girls Softball Association although many lived in Houston, they accomplished tremendous strides recently with the Katy Express Team taking fourth place in the Houston Metro Championship Tournament and asked them to stand to be recognized; Council Member Garcia further stated that they were joined by the Katy Cruisers who qualified in the 16 and under National Championship Tournament and would participate in the National Tournament and invited them to stand to be recognized; and wished them well. Council Member Lawrence absent.

Council Member Garcia stated that another group they heard a lot about yesterday was the collective group of investigators who worked hard to bring justice to the Aparece and Ngo families; that the criminals they caught were among the worst they had seen in their experience and he thought it was important to recognize how the officers were working to keep Houston same and bring closure to the surviving families; and called out the names of Assistant Vickie King; and with the Homicide Division, Capt. M. D. Brown, Lt. C. S. Arrington, Lt. M. Smith, Sgt. E. Gonzalez, Sgt. W. Anthony, Sgt. J. R. McGalin, Sgt. B. E. Roberts, Sgt. J. J. Brooks, Sgt. P. C. Motard, Sgt. B. C. McDaniel, Investigators M. F. Waters, A. Brown, T. W. Miller, C. Abbondandolo, D. W. Arnold, M. Sosa, J. Sosa Juvenile Division, G. E. Rodriguez; SWAT Detail, Officer E. Termeulen; Northeast Patrol Division, Officer B. Lummus, Officer G. M. Duron, Officer J. M. Turrentine, Officer M. Donato; Bureau of Alcohol Tobacco and Firearms, Agent J. Sturgeon, Agent T. Johnston; the Humble Police, Detectives C. Miller and Carruther; Fort Bend County Sheriff's Department, Detectives E. Hargrave and B. Campbell; Sealy Police Department, Sgt. A. Weido; the Harris County Sheriff's Department, Detective S. Ashmore and Sgt B. Pair; and those are the heroes for the families of Ngo and Aparece with their great work; that there were 15 capital murder charges filed and many more were being filed on such horrible people; that they had been working around the clock to wrap the case up and he thanked them, all were proud of them. Council Member Lawrence absent.

The City Secretary began calling the public speakers.

Mr. Mike Mosteit, 4345 Allen Genoa, Pasadena, Texas 77504 (713-943-0713) appeared in opposition to Agenda Item 49 and stated that he was a business agent with the International Brotherhood of Electrical Workers and tomorrow Council was being asked to pass a new job classification and he was representing a group of people opposing those classifications with one being the traffic signal technician and the other a senior traffic signal technician; for the entire life of the Traffic Signal Department the government electrician had done the work and the new classifications were being presented as opportunity to expand the availability of others to come to work in that division and they believed a lower pay classification would do the opposite and create a dead end job for people with no opportunity to advance; that in the Parks and Wastewater Departments at this time they utilized an apprenticeship program and they believed if a training program needed to be in place the apprenticeship program had structure with advancement and he and others in the IBEW Local 716 had been meeting with people in the Traffic Signal Department and they felt they were making headway, but they were still insistent with the job classification and the position would not do what they presented and the electrical worker could help fill the positions as they had in the past; and urged a vote against the item. Council Members Lawrence, Wiseman and Garcia absent.

Council Member Alvarado stated that she had conversations with Mr. Mosteit and that was why she had tagged the item and then delayed it, she was also concerned about things he mentioned; that she had seen the apprenticeship program he referred to and they were using it in two departments and she could not see why that could not be done in Public Works as it related to the traffic signal technician; that the argument from Public Works was there was difficulty filling the electrician position and she found that hard to believe; and upon questions, Mr. Mosteit stated the department said if they could find journeymen electricians now they would fill the positions with them; and Council Member Alvarado stated that she would ask the Administration to reconsider this, she knew the item was in with other reclassifications and maybe they could move the others and hold this back to give more opportunity to look at the apprenticeship program closer, if it worked in other departments perhaps it should be considered for this as well. Council Members Lawrence, Wiseman and Garcia absent.

Upon questions by Council Member Khan, Mr. Mosteit stated that he was with the International Brotherhood of Electrical Workers; that they had met with the Department of Public Works and thought they were making progress, but they were still insisting on the two new job classifications and they came today to oppose them as electricians had done the job the entire life of the Traffic Signal Division and they could do the job. Council Members Lawrence, Wiseman and Garcia absent.

Council Member Brown stated this was the first he had heard of this and would prefer the local sitting with Public Works and coming to an understanding; and upon questions, Mr. Mosteit stated they had been and he did not know why they were insisting on the new classifications; and Council Member Brown stated that he hoped they could go back and work it out with Public Works. Council Members Lawrence, Wiseman and Garcia absent.

Mayor White thanked Mr. Mosteit for coming and stated that he would listen to Mr. Easton also and see how they could work through this. Council Members Lawrence, Wiseman and Garcia absent.

Mr. John Easton, Jr., 2822 Twin Knolls, Humble, Texas 77339 (281-924-5357) appeared and stated that he was representing the International Brotherhood of Electrical Workers Local Union 716 and also present speaking in opposition to the new classifications under Agenda Item 49; that they had been working for the past 10 years with the city for an apprenticeship program through the Wastewater Department and they felt it was underutilized and could be used in all departments of the city and training was available to obtain the IMSA certification, so there were existing employees trained and skilled to do the work required for the new classification and if they needed the IMSA certification through the Joint Industry Electrical Training School they could obtain it; that licensed electricians were qualified to do the work and if there was need for more employees to be trained in the City of Houston they were able to fill the need; that they could promote within city employees and have existing electricians obtain the IMSA certification and fill the positions with new electricians and he, as with Mr. Mosteit, was not aware the city was having a difficult time filling electrical jobs because that was one thing they were there for and they should just contact their office and they would assist them; and urged Council to oppose the item. Council Members Lawrence and Wiseman absent.

Mayor White thanked them for coming and stated that he would say to the city staff that they did want something where master electricians were a very important part of the skilled workforce and they understood because of automation and computerization there were some task which could be filled where someone may not have the full requirement for an electrician but he did like the idea of having a career path where people could not be in a dead end job and if there was enough structure and flexibility within the apprenticeship, and he was saying this to

Public Works and those present with the local, where this could be a step within the structure to give those the ability and option with additional certification and if it took into account the needs he could see it being a win/win; that in some situations they really did need both sets of skills and he was not speaking for the Traffic Division but he did know there were cases where they needed both certification in computer skills that maybe not every electrician had where there was another category and he would like more of a career path and to work with them to accomplish both the city's purposes of creating more entry level positions for skills on computers and have the prospect of moving into the electricians category; and asked Public Works to look at it and then move forward on the rest. Council Members Lawrence and Wiseman absent.

Mr./Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (202-FA3-4511) had reserved time to speak but was not present when his name was called. Council Members Lawrence and Wiseman absent.

Mr. Robert B Gallant, 643 Regal, Houston, Texas 77034 (713-944-8927) appeared and stated that he was a retired sergeant and served the country proudly and now 100% service connected to the disabled veterans and had received many accommodations; that he was being seen at the Veterans Administration Hospital and there were many dedicated doctors, nurses and assistants there; that he called on the City of Houston to assist him in getting to the hospital and though there were many great dedicated ambulance drivers, firemen and officers he had trouble with one, he was told he was a chronic ambulance rider, although he had only called one time in his life, and he was told if he went to the VA Hospital he would be killed, people died there and it was a disgrace an individual from the EMS made such statements; that he was blind and wheelchair bound, but when they got to his house they drug him to the ambulance and tried to convince him to go to SE Memorial Hospital and took him there against his will and he was asking action be taken against the individual. Council Members Lawrence and Wiseman absent.

Council Member Sekula-Gibbs thanked Mr. Gallant for he service to this country and stated that she was shocked to hear what happened with the EMS and she would like him to speak with her assistant so they could help figure out what happened; that it was usually an outstanding system and the Veterans Hospital was one of the best in the nation; that Captain Dupont was present with the EMS Department and would be happy to speak with him also. Council Member Wiseman absent.

Upon questions by Council Member Berry, Mr. Gallant stated that yes, a paramedic told him he was a chronic ambulance user, he had been picked up six times, but he had not been picked up by any ambulance service except in the military; that he was blind and he did not know the person's name; and Council Member Berry stated that if checked he would suspect they could find out his name, but it surprised him it was said and hoped it was a misunderstanding; and upon further questions, Mr. Gallant stated that he was taken out of his home without his braces, he was a guinea pig for Dr. Laski; that they grabbed him around his shoulders and drug him out instead of using a gurney and he asked several times to take him to the VA Hospital as his records and doctors were there and if he went elsewhere they would not know of the experimental drug he took, but he was told he could die there; that he called the Fire Department, 911 for an ambulance because he was having emergency conditions. Council Members Wiseman and Alvarado absent.

Ms. Andria Hunt, 10101 W. Sam Houston Parkway S. #1209, Houston, Texas 77099 (832-283-7423) had reserved time to speak but was not present when her name was called. Council Members Wiseman and Alvarado absent.

Mr. William Barker, 9966 Kirkdale Drive, Houston, Texas 77089 (832-519-6260) had reserved time to speak but was not present when his name was called. Council Members Wiseman and Alvarado absent.

Mr. Patrick McIlvain, 221 Knox, Houston, Texas 77007 (713-802-1467) appeared and stated that he had received two volunteer awards and helped with Ms. Parker's campaign and was in the U. S. Navy, but because he was mentally challenged he could not fill out a form for low income people with A T & T and his phone bill had gone up and eventually turned off; that his gas was turned off and there needed to be a program in place to be aware of people in situations; that he was making payments, but was not able to call and tell them and it was turned off. Council Members Wiseman, Alvarado and Sekula-Gibbs absent.

Council Member Brown stated that Mr. McIlvain had presented himself very well and had made a good point; that certain citizens did not have the wherewithal to react in a timely way and prevent gas from being turned off, etc., and he would hope a resource, maybe Citizens Assistance, could help him. Council Members Wiseman, Alvarado and Sekula-Gibbs absent.

Upon questions by Council Member Edwards, Mr. McIlvain stated that his gas was still off and he was not able to cook and he was HIV positive and could not sterilize anything and he was on his own; and Council Member Edwards stated that she would like him to give her a call. Council Members Wiseman, Alvarado and Sekula-Gibbs absent.

Mr. Rufus Brown, 906 Marcolin, Houston, Texas 77088 (281-438-6800) had reserved time to speak but was not present when his name was called. Council Members Wiseman, Alvarado and Sekula-Gibbs absent.

Mr. William (Beal) Reagan, 6230 Symare Avenue, Van Nuys, California 91401 (no phone) had reserved time to speak but was not present when his name was called. Council Members Wiseman, Alvarado and Sekula-Gibbs absent.

Mr. Joseph Omo Omari, 2820 Palm #2B, Houston, Texas 77004 (832-767-0870) had reserved time to speak but was not present when his name was called. Council Members Wiseman, Alvarado and Sekula-Gibbs absent.

Senator Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and stated that he was Ali; and continued expressing his personal opinions until his time expired. Council Members Wiseman, Alvarado and Sekula-Gibbs absent.

At 3:06 p.m. City Council recessed until 9:00 a.m., Wednesday, June 28, 2006. Council Members Wiseman, Alvarado and Sekula-Gibbs absent.

City Council Chamber, City Hall, Wednesday, June 28, 2006

The Houston City Council reconvened at 9:00 a.m. Wednesday, June 28, 2006, with Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, Addie Wiseman, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Mr. Arturo Michel, City Attorney; Ms. Judy Gray Johnson, Director, Finance and Administration; Ms. Martha Stein, Agenda Director and Ms. Stella Ortega, Agenda Office, present.

At 8:20 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:23 a.m. Mayor White called the Council meeting to order and stated that the first order of business was the Mayor's Report.

### **MAYOR'S REPORT**

Mayor White stated that he would share with the Council Members some of the work that was being done by City employees and so much had been done by others in the community concerning the houses that were flooded by the storm that hit a week ago Monday, that June storm did not hit and damage all portions of the City but there were homes where the water was in the home and for them it was a natural disaster, although several parts of town were affected the principal impact was in one part of the City and because of the bizarre nature of the rain being so highly concentrated in one area they wanted to make sure the public knew throughout the City that there were neighbors right who needed help and in those neighborhoods that were affected it would not be that they were forgotten simply because they were out of the news and called on Mr. Buck Buchanan, Director, Solid Waste Management Department, to give them an overview on what Solid Waste had been doing. Council Members Johnson, Wiseman, Garcia and Berry absent.

Mr. Buchanan stated that he appreciated the opportunity to let them know what they had done and what they would be doing for their friends and neighbors that got water in their homes with the flood, that Sergeant Spear from Neighborhood Protection was also present in the audience, that Neighborhood Protection did the initial damage assessment trying to identify which homes were flooded, that the first chart he had was a map of the area that was most affected, that it was only the southeast Houston portion, that Inwood Forest, northwest Houston and a few homes in far east Houston in the Songwood Subdivision also were affected, that it was very difficult to assess flood damage in the first place and unless it was catastrophic it was even more difficult to assess flood damage, but the initial assessment was that there were nearly 3,000 homes that got water in them to some extent or another, that since last Wednesday they had been collecting storm and flood debris from all of the homes that they could locate that had flood debris, that most of those were in southeast Houston, some homes had debris collected from them up to four times and through yesterday they had collected debris from over 1,600 homes, but that did not mean that there were 1,600 homes affected because as he said some of them had multiple passes, they knew that there were probably 1,000 homes that got water in them but would have a more precise estimate next week, they were writing down the addresses of every home they pick up debris from and it was just an administrative task to get those things entered into a database and sort out the multiple passes and they could give them a better count, to date they had spent very little money, their employees worked on a full overtime basis last Saturday and most of the labor expense was from last Saturday, that they had made adjustments in their routing and had been able to get ahead in some instances and used resources that normally would be on a route to go into the flooded area, the equipment expense may be a little inflated but was based on the FEMA rate for the hours they had used the equipment and covered the cost of maintenance, fuel, batteries, gas, diesel fuel and so forth, that they had nearly a thousand tons of flood debris disposed of at about \$24,000 and a few dollars for supplies such as pitchforks and shovels, so it was \$173,000 at this point, that they had hired as temporaries of about three crews of heavy trash employees who had recently retired, they called it their reserve component and did not know whether to call it the Solid Reserve or National Waste, one or another, but they were the reserved components, they had swept through all of the areas that they were able to identify as having been flooded, a minimum of one time, fortuitously areas such as Inwood Forest also had their scheduled heavy trash last Monday so the whole area was swept again, many of the areas that had flooding in them were coming up in the first week of July as their regular heavy trash schedule so they would collect during that period but were not planning to sweep through the areas looking for potential flood debris after this Friday, they had about half of their forces available today and all

of their heavy trash forces available tomorrow and Friday because it was the fifth Thursday and Friday of the month and they would sweep the areas today, tomorrow and Friday one more time, after that they ask the customers to call 3-1-1 if they had more debris to be picked up or if they had not even located them up to this point, that they were blessed to have highly qualified retirees who were willing to come back and work for them and those reservists would continue to work on a hot shot basis as customers call in, they had just received some replacement heavy trash trailers and had not yet disposed of the equipment that was being replaced so they had plenty of equipment to give those reservists, it was a blessing that most homes only had a little bit of water in them because the amount of debris that a flooded home puts out was really a function of the depth of the flood, there was very little furniture being put out, most of the furniture items were mattresses, they were also blessed that it was not scattered throughout the City and they could focus their attention on the areas, the cost was really a lot lower than it was on a per home basis in Allison, but it was a real cost that they had to bear, that challenges that they had faced were really much uncertainty, they did not have a damage assessment until Thursday, he thought it was completed late on Wednesday and it was kind of tough to plan where they were going to send their forces until they precisely where they were, luckily they collected garbage everywhere in the City some place every day and they had a good idea based on their garbage collection crews where there was flood material being put out, but as he said earlier the flood damage was not really apparent in houses, it was very difficult to make an assessment and they did expect to continue this collection effort because flood debris tended to come out in stages, they had folks running out saying not to take it, the insurance company had not been there yet and they could not let them take it until they agreed to pay for it, that type of thing, so those were some of the challenges that they faced, that was all he had and would be happy to answer any questions they had. Council Members Garcia and Berry absent.

Mayor White stated that they would be going out after the Council meeting in some of the neighborhoods; that there were some things that they did not have the legal power to do like build 500 new homes, that they did not have the money or authority to start building homes left and right on the public account, but there were a lot of services that may be available to individuals, principally from non profits, and a lot of people who would be willing to help individuals and families and they were going to start a process of trying to match those, managing expectations so that people understood that they were going to have responsibility for those things that nobody else was responsible for, but word should get out this weekend, that Mr. Fontaine and Mr. Trahan would have some information that could be disseminated of how neighbors could help neighbors. Council Members Garcia, Alvarado and Berry absent.

Upon questions by Council Member Edwards, Mr. Buchanan stated that they were collecting from apartments as well, if the debris was at the curb they would pick it up without distinction, and Council Member Edwards stated there was one apartment in District D, on Griggs, and the walls kept falling down and the last time it rained they had another incident of walls falling down and they had inspectors out there and she would like to have Mr. Fontaine go with her out there, she thought someone really needed to look at closing the place until the owner fixes it properly, that it was occupied primarily with Section 8 or those types of vouchers, that there were two buildings, approximately 300 people on the low end, that they kept hearing complaints from the people and in the last storm the walls fell again, that she needed somebody's help from a more powerful office to let the owner know they meant business. Council Members Holm, Garcia and Alvarado absent.

Council Member Sekula-Gibbs stated that she had a question about the memo that Mayor White sent on June 23, 2006 related to how the administration would declare an emergency and categorize the emergency and then fund it and refund it, was the memo directly related to what Mr. Buchanan had just talked about, and how would the administration determine that it was a disaster and would they be issuing a disaster declaration or was it something that was just a

coincidence, and Mayor White stated that he thought it was a coincidence only to the extent that Council Member Holm had made a very astute observation that they lacked some formal criteria discussed in advance as to when they would use emergency reserves and what the plan would be then to build up those reserves once it was hit, that they needed some formal criteria and it should not be ad hoc, that as they recalled the budget amendment called them to review policies within 90 days and he thought it may be too long and they ought to review it in a shorter period of time than that so they would come up with some criteria and it may or may not be applicable to this, it depended on what the criteria and cost was and what the City Council decided to do but they ought to adopt some criteria for the City Council and apply it then, that so for they had two different people within the administration searching concerning what authorities they may use or what words they may use to get federal money in here and he was told that a report was going to be back by the end of the week. Council Members Edwards, Holm, Garcia, Lovell and Green absent.

Council Member Brown stated that Mayor White should be congratulated because he thought the people of Houston realized that they were getting the kind of timely service, particularly in a situation like this, that they expect from the City, that yesterday he, David Minsberg and Milton Wilson went out to an area that they may want to consider on their trip, it was in Council Member Edwards district and they had flooding out there in the homes and it was an area that had no ditches, storm sewer or inlets, it had an old curb, that it had a series of overlays that aggravated the problem, the street was no longer functioning to take in one inch per hour of rain because of the series of overlays, that he was wondering if they could map those areas to get a better grip on it, that it would give them some sense of where they might place some priorities, that there was also some affordable housing out there that had recently been built that they might want to take a look at, that it was off of Martin Luther King Street near Reed Road, toward Crestmont, and Mayor White stated that because of the mapping that had been done and the frequency of the storm, and why in the CIP that they passed, the Crestmont Project, which was under design beginning in December and would be completed this year, the drainage project in that neighborhood north of Reed Road by MLK would be constructed at the end of this fiscal year or early fiscal year 2008 and completed within about 12 months. Council Members Edwards, Holm and Garcia absent.

Upon questions by Council Member Khan, Mr. Buchanan stated that he met with the CEO of the debris removal contractor in mid November 2005 and they had pledges and a contract amendment to support the City and they would get the support, that they had amendments to the contract that were driven in part by changes in FEMA's payment schedule for various services that should be before Council in the next several weeks, he was personally convinced that they would receive support from that particular contractor that they expect and require, and Council Member Khan asked if they could lobby with the State about the State creating some reserve funds for cities to tap into in these situations, and Mayor White stated that Ms. Travis and Mr. Michel and individuals that they assigned in their office were going to come up with a menu of alternatives. Council Members Edwards, Holm and Sekula-Gibbs absent.

Council Member Wiseman stated that her district was highly impacted and she had already heard from constituents who were upset over the administration's decision to put aside the storm drainage project that could have alleviated the problem that they experienced, that she would express further concern over the memo that her colleague referenced earlier, the one that Mayor White sent in which he indicated that he was seeking the Legal Department's assistance to consider any sources of reimbursement from homeowners insurance or other available funds, she had some great concerns that after they had not done anything to mitigate the flood damage that those individuals were experiencing the City on top of that was wanted to file a claim on their homeowners insurance, it was a great concern and hoped it was not a direction that the administration was seriously considering, that she would suggest that option



be dropped and other options considered. Council Members Edwards, Khan, Holm, Sekula-Gibbs and Berry absent.

Mayor White stated that concluded the Mayors Report and thanked Mr. Buchanan for his presentation. Council Members Edwards, Khan, Holm, Sekula-Gibbs and Berry absent.

**CONSENT AGENDA NUMBERS 1 through 46**

**MISCELLANEOUS** - NUMBERS 1 and 2

1. REQUEST from Mayor for confirmation of the appointment of the following to the **REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF HOUSTON, TEXAS (EAST DOWNTOWN ZONE) BOARD OF DIRECTORS:**

Position Four - **MR. JOSHUA ESPINEDO**, for a term to expire July 6, 2008

Position Seven - **MS. JESSICA ROSSMAN MARTIN**, for a term to expire July 6, 2007

- was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0601 ADOPTED.

2. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **REINVESTMENT ZONE NUMBER NINETEEN, CITY OF HOUSTON, TEXAS, UPPER KIRBY REDEVELOPMENT AUTHORITY:**

Position Two - **MR. SYDNEY (BUDDY) S. BAILEY**, appointment, as Chair, for a term to expire July 20, 2008

Position Three - **MR. MORRIS C. CHEN**, appointment, for a term to expire July 20, 2007

Position Four - **MR. EMIL PEÑA**, reappointment, for a term to expire July 20, 2008

Position Five - **MS. MONIQUE WARD**, appointment, for a term to expire July 20, 2007

Position Seven - **MR. CHARLES N. PENDERGRAFT**, appointment, for a term to expire July 20, 2007

- was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0602 ADOPTED.

**PROPERTY** - NUMBERS 3 and 4

3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of payments for appraisal services for the **ALDINE-WESTFIELD PAVING PROJECT**, CIP N-0577-01-1 - **DISTRICT B - JOHNSON** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0603 ADOPTED.

4. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY3-472, located on the south side of Tidwell Street along the west side of White Oak Bayou, owned by Barbara H. Look (AKA Barbara H. Pratt), for the **WEST WHITE OAK BAYOU TRAIL HIKE AND BIKE TRAIL EXTENSION**, CIP N-0420-24-2 - **DISTRICT A - LAWRENCE** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0604 ADOPTED.

Council Members Alvarado and Clutterbuck congratulated the new appointees and asked that they stand and be recognized.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 7 through 11

7. ORDINANCE appropriating \$299,250.00 out of Water & Sewer System Consolidated Construction Fund for Valve Replacement Project for Public Works & Engineering Department, CIP S-1000-P6-3 – was presented. All voting aye. Nays none. ORDINANCE 2006-0712 ADOPTED.
- 7a. **R & B GROUP, INC** for Valve Replacement Project for Department of Public Works & Engineering - \$285,000.00 and contingencies for a total amount not to exceed \$299,250.00 - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0605 ADOPTED.
8. **ALLIED TUBE & CONDUIT CORPORATION (Bid No. 21)** for Signposts and Associated Hardware for Department of Public Works & Engineering - \$285,810.00 minus a commission fee for Internet-based reverse auction services for a net award not to exceed \$280,093.80 - General Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0606 ADOPTED.
9. **JERZY INDUSTRIES, INC dba JERZY SUPPLY** for Hoses and Fittings for Various Departments \$608,662.35 - General and Enterprise Funds - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0607 ADOPTED.
11. **AMEND MOTION #2004-1004, 9/15/04, TO INCREASE** spending authority from \$2,635,239.03 to \$3,294,048.79 for Scott Air Paks & Replacement Parts Contract for Various Departments, awarded to **ORR SAFETY CORPORATION** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0608 ADOPTED.

**ORDINANCES** - NUMBERS 16 through 46

16. ORDINANCE approving and authorizing easement conveyance to Harris County, Texas, conveying an easement for road and/or bridge purposes to extend Southwood Trace Lane over and across a 0.1791 acre (7,800 square feet), more or less, tract of land, being a portion of the West Canal located in the John Anderson Survey, A-97, Harris County, Texas (Parcel SY6-065); in consideration of Harris County's payment of \$3,276.00, and other consideration to the City – was presented. All voting aye. Nays none. ORDINANCE 2006-0713 ADOPTED.
17. ORDINANCE approving and authorizing deed to the State of Texas, conveying a tract of land consisting of 0.057 acre (2,483 square feet), more or less, out of the 72,942 square foot, more or less, Hiram Clarke Drainage Ditch Site for the completion of West Airport Boulevard, from Hiram Clarke Road to FM 521, being located in the B.B.B. & C.R.R. Co. Survey No. 1030, A-172, Harris County, Texas (Parcel SY6-113); in consideration of the State of Texas' payment of \$500.00, and other consideration to the City - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. ORDINANCE 2006-0714 ADOPTED.

30. ORDINANCE appropriating \$996,800.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing contract between the City of Houston and **ADS CORPORATION d/b/a ADS ENVIRONMENTAL SERVICES** for Hydraulic Modeling Field Support, CIP R-1000-AA-2 (WW4910) – was presented. All voting aye. Nays none. ORDINANCE 2006-0715 ADOPTED.
31. ORDINANCE appropriating \$5,459,565.78 out of Series E Commercial Paper Metro Fund and \$2,507,828.59 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Edgebrook Drive from IH 45 to SH 3; CIP N-1304-01-3 (N-611A-41); providing funding for project management, construction management and contingencies relating to construction of facilities financed by the Series E Commercial Paper Metro Fund and Water & Sewer System Consolidated Construction Fund - **DISTRICT E - WISEMAN** – was presented. All voting aye. Nays none. ORDINANCE 2006-0716 ADOPTED.
34. ORDINANCE approving and authorizing Professional Services Contract between the City of Houston and **CALICHE LTD.** for Air Permitting, Storm Water Permitting, and other Environmental Services for various Wastewater Treatment Facilities - \$330,000.00 - Enterprise Fund – was presented. All voting aye. Nays none. ORDINANCE 2006-0717 ADOPTED.
35. ORDINANCE appropriating \$498,300.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing amendment to Professional Engineering Services Contract (approved by Ord. No. 04-0757) between the City of Houston and **COBB FENDLEY & ASSOCIATES, INC** for Design of Long Point Road at Wirt Road intersection and approach and Long Point Road from Hollister Road to Pech Road, GFS N-0674-01-2 (SB9088); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. ORDINANCE 2006-0718 ADOPTED.
36. ORDINANCE appropriating \$210,000.00 out of General Improvements Consolidated Construction Fund, \$500,000.00 out of Police Consolidated Construction Fund, \$500,000.00 out of Parks Consolidated Construction Fund, \$281,000.00 out of Water & Sewer System Consolidated Construction Fund and \$75,000.00 out of Fire Consolidated Construction Fund and approving and authorizing first amendment to Job Order Construction Contract between the City of Houston and **WILLIAMS & THOMAS, INC dba JAMAIL CONSTRUCTION**, GFS D-0108-01-3, F-0585-01-3, R-0268-47-3, C-JOC, G-JOC – was presented. All voting aye. Nays none. ORDINANCE 2006-0719 ADOPTED.
37. ORDINANCE appropriating \$559,690.00 out of Parks Consolidated Construction Fund and awarding construction contract to **CARRERA CONSTRUCTION, INC** for Hermann Park Electrical Upgrade, GFS F-504D-05-3; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing services, construction management, and contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. ORDINANCE 2006-0720 ADOPTED.
38. ORDINANCE appropriating \$7,113,217.00 out of Drainage Improvements Commercial Paper Series F Fund and \$1,931,783.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **REYTEC CONSTRUCTION RESOURCES, INC**

for Central Park Subdivision Storm Sewer Facilities (Phase II), GFS M-0186-02-3 (SM5006-02); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management, and contingencies relating to construction of facilities financed by the Drainage Improvements Commercial Paper Series F Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2006-0721 ADOPTED.

39. ORDINANCE appropriating \$490,005.00 out of Drainage Improvement Commercial Paper Series F Fund and \$91,995.00 out of Water & Sewer System Consolidated Construction Fund; awarding construction contract to **ACM CONTRACTORS, INC** for Cambridge\Browning Elementary Paving and Drainage Improvements, GFS M-0242-05-3 (SM5026); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management and contingencies relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund and Water & Sewer System Consolidated Construction Fund - **DISTRICTS D - EDWARDS and H - GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2006-0722 ADOPTED.
40. ORDINANCE appropriating \$8,485,334.05 out of Drainage Improvements Commercial Paper Series F Fund, \$1,016,420.65 out of Storm Sewer Consolidated Construction Fund, \$1,454,762.80 out of Commercial Paper Storm and Overlay Fund, and \$834,482.50 out of Water & Sewer System Consolidated Construction Fund, and awarding contract to **JALCO, INC**, for West Little York Road Drainage Improvements from Hardy Toll Road to Hall's Bayou, GFS M-0531-01-3 (SM5017); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the city; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management and contingencies relating to construction of facilities financed by the Drainage Improvements Commercial Paper Series F Fund, the Storm Sewer Consolidated Construction Fund, the Commerical Paper Storm and Overlay Fund, and the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - JOHNSON and H - GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2006-0723 ADOPTED.
41. ORDINANCE appropriating \$939,000.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **TIKON GROUP, INC** for Safe Sidewalk Program T8 Work Authorization Project, GFS N-0610A-T8-3 (SB9255); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management, construction management, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund – was presented. All voting aye. Nays none. ORDINANCE 2006-0724 ADOPTED.
42. ORDINANCE appropriating \$4,476,692.48 out of Series E Commercial Paper Metro Projects Fund, \$449,711.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **CONRAD CONSTRUCTION CO., LTD.** for Paving Extension of Buffalo Speedway from West Orem Drive to West Airport Blvd., GFS N-0619-01-3 (SB9175); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project

management and contingencies relating to construction of facilities financed by the Series E Commercial Paper Metro Projects Fund and Water & Sewer System Consolidated Construction Fund - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. ORDINANCE 2006-0725 ADOPTED.

43. ORDINANCE appropriating \$200,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **PTI, INC** for Design of West Little York Paving from Wheatley to T.C. Jester (approved by Ordinance No. 98-1185), GFS N-0687-02-2 (N-0687-02); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS A - LAWRENCE and B - JOHNSON** – was presented. All voting aye. Nays none. ORDINANCE 2006-0726 ADOPTED.
44. ORDINANCE appropriating \$849,096.00 out of Street & Bridge Consolidated Construction Fund, \$135,474.00 out of Water & Sewer System Consolidated Construction Fund and \$250,000.00 out of Harris County Construction Fund; awarding construction contract to **SOUTH COAST CONSTRUCTION, INC** for Reconstruction of West Little York Bridge at Vogel Creek, GFS N-0687-04-3 (SB9246-02); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund, the Water & Sewer System Consolidated Construction Fund and Harris County Construction Fund - **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. ORDINANCE 2006-0727 ADOPTED.
45. ORDINANCE appropriating \$5,134,102.00 out of Series E Commercial Paper Metro Projects Fund No. 49M, awarding contract to **ANGEL BROTHERS ENTERPRISES, LTD.** for Generic City Wide Overlay Package #10, GFS N-1037-50-3 (OL2250); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management, and contingencies relating to construction of facilities financed by the Series E Commercial Paper Metro Projects Fund No. 49M – was presented. All voting aye. Nays none. ORDINANCE 2006-0728 ADOPTED.
46. ORDINANCE appropriating \$1,626,969.97 out of Street & Bridge Consolidated Construction Fund (Number N-0420-01-1), and approving and authorizing purchase of easements and other interests in real property and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs and Expert Witness Fees, for and in connection with, and finding a public necessity for, various Hike and Bike Trail Program Projects identified in the body of this ordinance - **DISTRICTS A - LAWRENCE; B - JOHNSON; C - CLUTTERBUCK; D - EDWARDS; F - KHAN; H - GARCIA and I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2006-0729 ADOPTED.

Council Member Alvarado moved to suspend the rules to consider Item Numbers 21 and 12 out of order, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2006-0609 ADOPTED.

21. ORDINANCE approving and authorizing contract between the City and the **GREATER HOUSTON CONVENTION AND VISITORS BUREAU** for the Promotion of Tourism and the solicitation of convention business – was presented.

Council Member Khan stated that he was very much in favor of the item, the funding, that he had some questions as to how Houston was fairing in the convention business, that he had concerns of the future plans and requested that some people visit with him on the issue. Council Member Wiseman absent.

After discussion by Council Members, a vote was called on Item No. 21. All voting aye. Nays none. ORDINANCE 2006-0730 ADOPTED.

12. ORDINANCE relating to the City's Civic Art Program; **AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, and containing findings and other provisions relating to the foregoing subject; containing a repealer; providing for severability – was presented. Council Member Wiseman absent.

Council Member Khan stated that Item No. 12 was another item that required a lot of thoughts, that his concern was where he saw the board members, which were appointed by the organization themselves he did not see the diversity of Houston being reflected on the board, that since yesterday when he had a visit from Ms. Jewett he had done some more talking to people and many of his questions were answered but he thought there was still something they had to look into as to how they wanted to reflect the diversity of Houston on the board, that he would tag the item and hopefully get some answers. Council Member Wiseman absent.

After discussion by Council Members, Council Member Brown stated he would like to see in the Visitors Bureau a greater emphasis on the arts in Houston, that basketball got a lot of attention but they could have a huge spread and he thought they could really beef it up and Mayor White stated that was an excellent suggestion and would ask both Ms. Jewett and Bureau members to follow up on that suggestion. Council Members Wiseman and Alvarado absent.

After further discussion by Council Members, Council Member Khan stated that he wanted to thank Ms. Paula Arnold, who visited with him and thought he could say without hesitation that he had her commitment and the commitment of her colleagues that issued raised would be address and the proper diversity in Houston would be reflected in the board, and would release his tag on Item No. 12 and would request his colleagues to vote on the item. Council Members Edwards, Wiseman and Brown absent.

Mayor White stated that he thought Council Member Khan's words were well taken, that he had visited with Ms. Jewett this morning and understood what Council Member Khan was saying, that they all had to realize that there was going to be a things to do list and they would make sure they would reflect that. Council Members Edwards, Wiseman, Brown and Sekula-Gibbs absent.

A vote was called on Item No. 12. All voting aye. Nays none. Council Members Wiseman, Brown and Sekula-Gibbs absent. ORDINANCE 2006-0731 ADOPTED.

**MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:**

**PURCHASING AND TABULATION OF BIDS**

5. **ANALYTICAL COMPUTER SERVICES** for License Upgrade and Maintenance Agreement for Veritas Software through the City's Master Agreement with the Texas Department of Information Resources (DIR) for Texas CISV Master Catalog Purchases under Chapter 2157 of the Government Code for Information Technology Department (ITD) - \$605,015.00 - Central Services Revolving Fund - was presented, moved by Council Member Alvarado, seconded by Council Member Khan. Council Member Sekula-Gibbs voting no, balance voting aye. MOTION 2006-0610 ADOPTED.
6. **RANGE KLEEN MFG. INC** for Vinyl Magnets, Universal Lids, Fat Trapper Bags and Holders for Department of Public Works & Engineering - \$54,750.00 - Enterprise Fund - was presented, and tagged by Council Member Wiseman.
10. **MSE ENVIRONMENTAL** for spending authority for Household Hazardous Waste Collection, Transportation and Disposal Services through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Various Departments - \$1,846,219.00 Storm Water Utility Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0611 ADOPTED.

#### **ORDINANCES**

13. ORDINANCE **AMENDING SECTION 12-63 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Fees for Parking at the Theater District Garage – was presented. All voting aye. Nays none. ORDINANCE 2006-0732 ADOPTED.
14. ORDINANCE supplementing the City of Houston, Texas Master Ordinance providing for the issuance of Combined Utility System Revenue and Refunding Obligations and authorizing issuance of City of Houston, Texas, Combined Utility System First Lien Revenue and Refunding Bonds, Series 2006 and Series 2006A, providing for the amounts, interest rates, prices, and terms thereof and other matters relating thereto; providing for the payment thereof; making other provisions regarding such bonds and matters incident thereto; authorizing the defeasance, final payment, and discharge of certain Combined Utility System Commercial Paper Notes; authorizing the execution and delivery of an Escrow Agreement; authorizing the purchase of and subscription for certain escrowed securities; authorizing bond insurance, escrow verification and engagement of an Escrow Agent, a Co-Bond Counsel Agreement, authorizing execution and delivery of a Paying Agent/Registrar Agreement; and declaring an emergency – was presented. All voting aye. Nays none. ORDINANCE 2006-0733 ADOPTED.
15. ORDINANCE relating to the Retail Water & Sewer Rates of **VERGIL D. MARTIN dba H&J UTILITY aka MATCO** within the City of Houston, Texas; finding that the existing rates are in violation of law and ordering production of water tariffs and completed TCEQ Form 10432 – was presented. All voting aye. Nays none. ORDINANCE 2006-0734 ADOPTED.
18. ORDINANCE consenting to the addition of 1.2167 acres of land to **BRIDGESTONE MUNICIPAL UTILITY DISTRICT**, for inclusion in its district – was presented. All voting aye. Nays none. ORDINANCE 2006-0735 ADOPTED.
19. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 406** – was presented. All voting aye. Nays none. ORDINANCE 2006-0736 ADOPTED.

20. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 422** – was presented. All voting aye. Nays none. ORDINANCE 2006-0737 ADOPTED.
22. ORDINANCE adopting first amended and restated Administrative Guidelines for the City's Good Neighbor Next Door Housing Assistance Program – was presented. All voting aye. Nays none. ORDINANCE 2006-0738 ADOPTED.
23. ORDINANCE adopting second amended and restated Administrative Guidelines for the City's Homebuyer Assistance Program – was presented. All voting aye. Nays none. ORDINANCE 2006-0739 ADOPTED.
24. ORDINANCE approving and authorizing interlocal agreement between the City of Houston and **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY (METRO)** for Metro's participation in the Major Accessory Shop Enforcement/14 Grant – was presented. All voting aye. Nays none. ORDINANCE 2006-0740 ADOPTED.
25. ORDINANCE approving and authorizing interlocal agreement between the City of Houston and the **FORT BEND COUNTY SHERIFF'S OFFICE** for their participation in the Major Accessory Shop Enforcement/14 Grant and substituting it for the interlocal agreement approved by Ordinance No. 2006-0413 – was presented. All voting aye. Nays none. ORDINANCE 2006-0741 ADOPTED.
26. ORDINANCE approving and authorizing interlocal agreements between the City of Houston and the **FORT BEND COUNTY SHERIFF'S OFFICE** and the **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY (METRO)** for their participation in the Major Accessory Shop Enforcement/15 Grant and substituting them for the interlocal agreements approved by Ordinance No. 2006-0414 – was presented. All voting aye. Nays none. ORDINANCE 2006-0742 ADOPTED.
27. ORDINANCE approving and authorizing interlocal agreement between the City of Houston and the **CITY OF SPRING VALLEY** for the Replacement of the Pech Road Footbridge - **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. ORDINANCE 2006-0743 ADOPTED.
28. ORDINANCE approving and authorizing compromise and settlement agreement between the **FORT BEND SUBSIDENCE DISTRICT** and the City of Houston to settle a claim - \$65,500.00 Enterprise Fund - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2006-0744 ADOPTED.
29. ORDINANCE relating to Energy Legal Services; approving and authorizing restated and amended agreement for Legal Services between the City and **ANDREWS KURTH L.L.P.** and a Legal Services Agreement between the City and **LOCKE LIDDELL & SAPP LLP**; providing maximum contract amounts - \$310,000.00 - Central Services Revolving Fund – was presented. All voting aye. Nays none. Council Members Clutterbuck, Sekula-Gibbs and Berry absent. ORDINANCE 2006-0745 ADOPTED.
32. ORDINANCE awarding contract to **RLS INTERESTS, INC dba PRIME SYSTEMS, INC** for Computer Repair Services for Houston Police Department; providing a maximum contract amount 3 Years with two one-year options - \$1,436,625.00 - General Fund – was presented. All voting aye. Nays none. ORDINANCE 2006-0746 ADOPTED.



33. ORDINANCE amending Ordinance No. 2004-0495 to increase the maximum contract amount to Contract C56063 between the City of Houston and **ARCH WIRELESS OPERATING COMPANY, INC** for Pager Rental Services for Various Departments - \$143,429.16 - General, Enterprise, Grant and Other Funds – was presented, and tagged by Council Member Wiseman.

Council Member Alvarado stated that she had some questions about the item, that it came up about two years ago, that pagers had become obsolete and she was not sure why they were purchasing so many pagers, she did receive some information and had gotten it yesterday so she was going to look at it and also tag the item.

Mayor White stated that on the issue judging from the experience when they went through the Mayor's office at the beginning of the administration, there should be no need for the proliferation of people who had both phones and pagers, he was not saying that they should not use productivity tools, they should, but he could say that the inquiry could be very productive and they ought to make sure they needed what they paid for.

#### **NON CONSENT AGENDA** - NUMBER 47

#### **PROPERTY**

47. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, **TO AMEND MOTION #2003-267, 3/12/03**, Item 1 to include the conveyance of two easements and Item 7 to appoint independent real estate appraisers - **TWO APPRAISERS and one ALTERNATE APPRAISER - DISTRICT E – WISEMAN** – was presented.

Council Member Wiseman named Mr. Scott Stephens and Mr. Michael Copland as appraisers and Mr. Jimmy Payton as alternate appraiser and moved approval of the recommendation, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0612 ADOPTED.

#### **MATTERS HELD** - NUMBERS 48 and 49

48. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from City Attorney to deposit the Award of Special Commissioners, into the Registry of the Court, pay all costs of Court and not file any objections to the award in connection with eminent domain proceeding styled City of Houston v. Union Pacific Railroad Company, a, Delaware corporation, et al., Cause No. 849,401, for acquisition of Parcel AY2-172C; for the **COLUMBIA TAP HIKE AND BIKE TRAIL PROJECT (Polk St. - Dixie Dr.)**; CIP/GFS N-0420-22-1 - \$354,567.00 - **DISTRICT D – EDWARDS – (This was Item 11 on Agenda of June 21, 2006, TAGGED BY COUNCIL MEMBER SEKULA-GIBBS)** – was presented. All voting aye. Nays none. MOTION 2006-0613 ADOPTED.
49. ORDINANCE amending Exhibit “A” of City of Houston Ordinance No. 90-1292 (as amended by City of Houston Ordinance No. 2006-165), to amend the Master Classification Ordinance to add, revise and/or delete certain classifications substituting the amended exhibits as part of the current master classification listing – **(This was Item 58 on Agenda of June 21, 2006, POSTPONED BY MOTION #2006-512)** – was presented.

Council Member Alvarado stated that she had passed out an amendment for Item No. 49 as follows:

"I move to amend Item #49 on the June 28, 2006 agenda by substituting a revised Exhibit A, which deletes the creation of 2 positions: Traffic Signals Technician and Senior Traffic Signals Technician".

Mayor White stated that they agreed with the amendment and Public Works stated that they could work within the framework to accomplish its purposes.

A vote was called on Council Member Alvarado's written motion to amend Item No. 49. All voting aye. Nays none. MOTION 2006-0614 ADOPTED.

A vote was called on Item No. 49. All voting aye. Nays none. ORDINANCE 2006-0747 ADOPTED AS AMENDED.

Mayor White stated that he would say to the Public Works Department if they needed to hire somebody and somebody did not get the traffic light fixed on a timely basis, whether it be by computer or required somebody dealing with the wiring on the circuits and poles and if somebody came up and said there was a problem with the City ordinances, it better not be, he wanted Public Works to hire the people that it needed to and thought it was in everybody's interest, including the electricians and others that it did, he had not heard from anybody that with the ordinance as amended they would be prevented from hiring somebody they wanted within Public Works, so they ought to fill the jobs, if they were then they should say they could not hire this person because of this, to put it in a memo to him, that he did not want to be in a position where nobody was fixing stop lights and everybody was tiptoeing around an issue, he just had not heard why they could not hire somebody who was qualified to do those jobs, if it was a matter of pay he wanted to hear about it.

#### **MATTERS TO BE PRESENTED BY COUNCIL MEMBERS**

Council Member Garcia stated that today was the funeral of a Houstonian who lived in his district, Private First Class Menchaca, who was kidnapped and brutally murdered along with another fellow serviceman, that out of respect for the men and women in service and to the families of these brave soldiers he asked for a moment of silence in their memory.

Council Member Johnson stated that he had great concerns about what had taken place in the Acres Homes area, for a long time they had talked about the unincorporated areas and how sometimes they were very hard to patrol, that certainly the police officers did not have the capacity to patrol every area of Acres Homes, in the last three days they had found two bodies in Acres Homes, that it concerned the residents of Acres Homes and certainly the City of Houston and so because of that they were going to have a townhall meeting with the community leaders to discuss this, that they had invited Chief Hurtt to the meeting, that they had found five bodies in as many months in the Acres Homes area, they were going to send the message to the perpetrators that the community would not stand idly by while this happens, but at the same time they needed more protection, it was an epidemic, they needed more patrol and needed to address the concern. Council Member Green absent.

Council Member Johnson stated that on Monday, Super Neighborhood Council No. 47 held a townhall meeting and the community voiced their concerns, that Council Member Brown came out and helped them and it concerned a new development that had taken place in that particular super neighborhood, the Super Neighborhood Council had created a land plan for what they would like to see coming into their community and were very concerned about the MUD that was coming into their neighborhood but the bigger concern was the MUD that was on top of affordable housing, never in the City of Houston had they done this so the community was very concerned about it, they invited the developer out but unfortunately he was not able to

attend but hopefully they could come to a middle ground with how they could get the development done, that he and the community were excited about new development for District B but it being probably the largest contiguous land mass left in District B of over 400 acres he thought they owed it to the community and the City of Houston to do a good land plan so they could have sustainable housing for years to come. Council Member Green absent.

Council Member Johnson stated that during the Essence Festival the Computer Olympics would take place at Jack Yates High School in conjunction with Ricky Winslow of the Rowdy Foundation and Johnny Molock with Bridging a Digital Divide, that it would be a program in which they were inviting youngsters from all across the City to take part in the Computer Olympics, that free food would be donated by HEB and Popeye's Chicken, that whoever comes in first place would receive a lap top computer, that last time they gave out over 20 lap top computers so hopefully again they would do the same thing; that on Saturday, also in conjunction with the Essence Festival they would be doing a March Against Domestic Violence and Sexual Assault, that they would be having a rally at Windsor Village United Methodist Church, at 9543 South Main, that he and Congressman Al Green, the Million Women's March Organizing Committee of Philadelphia, as well as Derrick Muhammed and the Millions More Movement National Director, Benjamin Chavis, would be coming out to march against domestic violence and sexual start, that it would start at 9:00 a.m. on Saturday, July 1, 2006; that also in conjunction with the Essence Festival, The Voice of an Angel Foundation and Yolanda Adams would be having a golf tournament at the Black Horse Golf Club, that it would be on Friday, June 30, 2006 starting at 8:00 a.m. for more information they could call Michael Harris at 713-398-1268. Council Member Green absent.

Council Member Lovell stated that she wanted to thank Mayor White for coming out, they had a press conference to kickoff their Anti Graffiti Campaign, that since then they had some reports to Crime Stoppers, that they had a video of graffiti in progress and had been turned over to the investigators, that it was part of a group that was pretty big and prolific in the City so she wanted to encourage everybody out there to either please call 3-1-1 and report it and also if they see it in progress to call Crime Stoppers. Council Member Green absent.

Council Member Lovell stated that she wanted to thank the Mayor's Anti Gang Task Force for coming out to her neighborhood on Sunday at Saint Stevens Episcopal Church to a gathering of people from the Ervin Chew Park area to give a one on one on gangs seminar and educate people in her neighborhood about what to watch out for, they were very good and they already had two or three other civic organizations that were signing up for them to come and speak with them. Council Member Green absent.

Council Member Lovell stated that it appeared they still had problems at the HEC center, that people were very frustrated when they call the HEC center and were put on hold and had to wait a long time, and then they were frustrated and call 9-1-1 which then jams up the 9-1-1 number, that someone in her neighborhood saw a robbery in progress and could not get to a police officer on the phone, and Mayor White asked if she had the details of that and Council Member Lovell stated that she could get that for him, and Council Member Lovell stated that at every civic association that they go to it was now a topic of conversation so it was something that needed to be fixed. Council Member Green absent.

Mr. Anthony Hall stated that they had scheduled a meeting with Mayor White, that Council had helped a lot in adding 11 call taker positions in the budget they just approved, that process for hiring and training those folks was underway presently to start on the first of July, that also there was a plan that would be presented to Mayor White when they meet that involved some technology improvement for answering and referring calls off of the non emergency number that hopefully would help to relieve some of the wait time because he was told that it was possible

that as much as 15% of the volume could be handled that way and it would account for about 17 extra call takers over time when they put it in, there were plans underway to relieve the problem he thought the plan that was worked out between the HEC Center management and the Police and Fire Chiefs would help improve the situation over the next 60 to 70 days when they get the people actually in place, that the Mayor had also authorized them to ask for additional allocation from the 9-1-1 network itself because of the increased volume of calls they had been getting. Council Member Green absent.

Mayor White stated that they ought to keep their eyes on how many arrests per officer per month and how many calls did the average person on patrol answer during each day on patrol, how many calls were coming in from citizens and how quickly were they being responded to and what was their arrest rate and their clearance rate, that would be a measure of how they do. Council Member Green absent.

Council Member Edwards stated that Monday evening she had the opportunity to visit Dr. Taylor's class at Saint Thomas and understood that a lot of her colleagues had gone there also, it was a leadership class, they had two of their graduate students who were going to be joining the flooding efforts and helping with research. Council Member Green absent.

Council Member Edwards stated that on July 10, 2006 the Flooding Committee would be discussing the Chapter 19 revisions and it was a very important ordinance as they tried to move the flooding and drainage issues forward. Council Members Khan, Sekula-Gibbs and Green absent.

Council Member Edwards stated that she had the opportunity to go out with some firefighters from Fire Station No. 25 in District D and they had a long conversation regarding EMS calls, that Council Member Garcia and firefighter Karen Dupont, about six to eight months ago, had done some work on the EMS calls and the problems they were having with the number and they found some interesting situations especially in the Sunnyside area which was one of the areas that had the most calls, that 60% of the people in a given area did not have primary transportation, that was a real issue regarding their use of EMS, all that being said in talking with the firefighters on Friday, especially the EMS and paramedics, they get EMS calls from people, 65 year old women who say they were in labor and they were repeated calls and they knew the callers and the callers were so sophisticated in the process when they could recognize them by phone number then they go to Subway and call, they get calls from people who say they were having chest pains and when they get there they had their bags packed and demanded to go to Ben Taub and when they get to Ben Taub they meet their friends and walk off, it was just a ride, a cab drive, and her question was if they were paramedics or EMS then did they not have the authority to say it did not seem to be a medical emergency and make that decision and they say they cannot, that she really thought it needed to be looked at to where these men and women who had gone through training if they could determine that it was not a medical emergency why would they take a women, who was 65 years old and says she was in labor and it was obvious she was not, to a hospital just because she was demanding to go to a hospital.

Mayor White stated that if people wanted to do something good and significant with their lives which the people at Council would back them up it would be what was the way that a fair and rationale person would deal with the issue and he thought the public would support them and he thought that there could be some risk, but the risk they would run if somebody was on an EMS call for somebody who just needed transport where it could be handled by telephone, or somebody losing their life because they diverted the resources unnecessarily and he did not think it should be up to the men and women at the Council table to figure it out, he thought the people who were on the line and if it was a law they would change the law, he did not think it

would have staffing consequences because they had a lot of work to do in the community, if it did somebody should be ashamed, that was what he meant, it was what he wanted the Fire Department to say, if they were running the Fire Department with the same resources that they had only deploying them better, how would they do it and he was not expecting that to be risk free in this business, every time a firefighter runs into a building that was burning there was a risk, that Council Member Lawrence had a station in her district where there was one apartment over there where they got so many calls every week to the one apartment, they were not bad people, one had dementia and one had depression and loneliness issue, they were not bad people but there had to be some criteria, and Council Member Edwards stated that she thought the Fire Department had to develop a policy but it was her understanding that if someone asked to go to a hospital then they had to take them, even if they knew there was nothing wrong, that she hoped a lot of the stories they were telling her were the exception but it was causing a problem and somebody needed to fix it. Council Members Khan, Lovell and Green absent.

Council Member Edwards stated that the latest crime spree allegedly by the young people it was very painful to watch it all unfold on television and knew that the five young people would probably spend the rest of their life in prison and or be executed and the question was how do they intervene with their communities to help their families stop going through those types of tragedies, that when she had talked to young people about all the violence she got some very interesting responses and very disturbing responses, that they had to figure out what was going on in their communities, she did not know what the problem was, that somebody needed to look at it. Council Members Khan, Lovell and Green absent.

Council Member Edwards stated that as to the Essence Festival, this weekend in District D in addition to the events that Council Member Johnson spoke about she would like to advise them that there would be a crawfish and Zydeko Festival on Friday night at the Shrine of the Black Madonna parking lot and would start at 4:00 p.m. and would go until everybody goes home or all the crawfish was gone; that on July 1, 2 and 3 would be the Kaleidoscope Festival brought to the Travis, Alabama and Midtown area by the Breakfast Klub, that it would be fun and local entertainment. Council Members Khan, Lovell, Sekula-Gibbs and Green absent.

Council Member Edwards stated that the HIV Workshop was last night at Wheeler Avenue Baptist Church and they had about 200 people in attendance, the Health Department gave them a startling statistic, that 79% of the Gonorrhea and Chlamydia reported in the City was in the age group of 15 to 34 years of age. Council Members Khan, Lovell, Sekula-Gibbs and Green absent.

Council Member Lawrence stated that she concurred with her colleagues and was the number one thing she heard from ambulance drivers that their policy was that they had to pick up the person with two suitcases that wanted to just go and meet a friend so she thought a general policy from the Mayor's office and the Fire Chief's office needed to be establish because it was their belief that they had to take that person to where they wanted, that it was all over the City. Council Members Lovell, Sekula-Gibbs and Green absent.

Mayor White stated that he would like the Fire Command Staff, and it was supplementing the call triage effort that they had that was underway, but to start this month to submit to him guidelines or a draft of guidelines, because it ought to be based on input from many of the professionals serving in the field, about what they thought was the right thing to do, and then they would have lawyers look at it and figure out if there was any real law that prevented them from doing the right thing, that it should be by the end of the July. Council Members Edwards, Lovell, Sekula-Gibbs and Green absent.

Council Member Lawrence stated that she wanted to thank Mr. Antoine Holman, on Monday with all the flooding she got through in his dump truck and they went all over District A looking for homes that were flooded or people who needed a push out of the water, letting fire trucks know if they could get through high water to get to the various mult family fires, that she enjoyed her day with him and really making a difference and finding out who had flooded in the district and helping people get from their home to high ground that it was quite an experience. Council Members Edwards, Lovell and Green absent.

Council Member Lawrence stated that tonight they would be having a hurricane flooding townhall meeting and would invite her colleagues, that it would be from 7:00 p.m. to 8:30 p.m. at Spring Woods High School. Council Members Edwards and Green absent.

Council Member Lawrence stated that she and Council Member Johnson had been working very closely with Representative Sylvester Turner on some apartments that kind of crossed their lines and they were working together, that HPD had moved in there in the last couple of days and made a tremendous amount of sites, that she just got an email talking about the violations that they reported to Neighborhood Protection, 65 violations in the apartments, all the way from high weeds to occupancy permitting, graffiti and mold, that she really appreciated the officers in Neighborhood Protection trying to look at the problems within the apartments, that Representative Turner had been working with them very closely, a lot of people had been working hard on it. Council Members Edwards and Green absent.

Council Member Garcia stated to follow up on the discussion about EMS they were right it was all over the place and had been an issue that had been long discussed about what was really strapping their guys running the ambulance boxes and agreed on everything that he heard everybody discuss 100%, that the only thing he would ask Mayor White in his discussion and solicitation of input, and he was glad that Mayor White was looking to the guys in the field to give him the perspective, was with whatever policy was developed there would be this, because the Mayor was right there was going to be risks but the last thing he wanted was to make sure that when a mistake occurs that their paramedics get fired for it, they were disciplined for making a wrong call, for making a mistake, that was the issue that hung in the balance, there had been situations where their physical conditions were not as obvious and the mental health issues could be confused, a person they think might be drunk may be a person having a diabetic attack, so there was a range of things that he wanted to make sure it was a real issue for their paramedics, but before they moved to quickly he also wanted to make sure that people understood that one of the reasons that it had been difficult to move on the issue was because their men and women were paramedics they were not doctors, so they would be putting some important authority in their hands but by the same token they to knew it was difficult to determine whether someone who was speaking very clearly and very plainly and saying they had a headache could be having an aneurysm, that he wanted to make sure that they had a clear eye on possible consequences, he knew about the situations that really seemed obvious but they should make sure that they talk about how they protect their guys, talk to both the Fire Chief, Dr. Persse and the union on how they protect their guys if they were to give them that type of authority because he would hate to see a situation that no one would be able to foresee otherwise they make an unfortunate mistake and people at this table were asking for their heads on platters, so he wanted to make sure there was a practical eye kept on that perspective. Council Members Edwards, Alvarado, Brown and Green absent.

Council Member Garcia stated that during the budget he was advocating for some park maintenance revenue and in this last horrible situation of the Aparece and Ngo situation one of those bodies was recovered from a park in his district that the officers were saying was out of control because it had no lights or fencing, it was really just inhabited by the wrong folks and it did not appear to be much of a park, rather more of a dumping site, so he just would like to ask

that they continue to challenge themselves on how they make sure that park maintenance was a priority as they moved forward and really work to develop an inventory of those parks throughout the City that were sort of like in no man lands, it was a park but he was really surprised because he had not visited that park and did not know he had it, that it was not a criticism to the Parks Department but they needed a better plan on making sure they knew what they had and how they were maintaining it and how they were incorporating it into the quality of life throughout their respective neighborhoods. Council Members Edwards and Green absent.

Council Member Garcia stated that the vote they had on Item No. 12 was a good thing for the City, when they talked about graffiti one of the things that was a parallel discussion was how talented those kids were, how really artistic they were and one of the components of the anti graffiti strategy that they were to implement several years ago was to reach out to the art instructors, art teachers in HISD to figure out ways on how to direct that talent into a more constructive way, that he would encourage that they be pushed to develop a policy or initiatives that included the school districts at the middle school level because there was so much talent there. Council Members Edwards and Green absent.

Council Member Holm stated that last night was the first scoping meeting for the University Corridor for Metro and tomorrow night, Thursday evening, June 29, 2006 would be the second meeting and would be held at the Holiday Inn Select at 2712 Southwest Freeway from 4:00 p.m. to 7:00 p.m., that this meeting was part of the official process where input was taken so she encouraged all to come and be prepared to share their comments, suggestions and concerns in a constructive and objective manner. Council Member Edwards and Green absent.

Council Member Holm stated that she wanted to congratulate the Buffalo Bayou Partnership, on June 10, 2006 they had their celebration and grand opening of the Sabine to Bagby Promenade, it was an incredible project that had been done. Council Members Edwards and Green absent.

Council Member Holm stated that at the Quality of Life Committee the Graffiti Ordinance was coming forward and Council Members Garcia and Lovell had been great in bringing that forward. Council Members Edwards and Green absent.

Council Member Holm stated that as to the Newsrack Ordinance, it was her understanding that for about eight years they had been working on the project and she knew a lot of her colleagues had been really concerned about and for six and a half months they had been meeting biweekly and sometimes weekly with the stakeholders involved in it, it had come before the committee once and they hoped to have close to a final meeting this week and also their third and final walkthrough of different areas, that they would be unrolling a really comprehensive plan with a phase in of structure and organization so that they allow for the existence of the important media distribution but for them to conform to the policies and standards that would be beneficial to the City. Council Members Edwards and Green absent.

Council Member Holm stated that she and Mayor White had a shared interest in signage and they were working conscientiously on a really total reorganization and restructure of looking at everything and they had such great support but it was really beginning with the support that had been there through the City and the Quality of Life Coalition and the Quality of Life Advisory Committee of the Partnership and Scenic Houston, they were now close to bringing stakeholders together for input, by the end of the week she was going to send out to all of her colleagues kind of a focus and status report of where they were and what the next steps were because their objective was to have by the end of the year a complete rollout of a new program that would be supported and embraced by all the community. Council Members Edwards and Green absent.

Mayor White stated that he would like the input of Council Members on something that he did not know what to do about, the Buffalo Bayou Partnership wanted the City and the County to pay for more of their staff, that he thought they were a great organization but the City was going to be contributing to the projects and the land acquisitions as opposed to the staff, that he had not gotten back to them because he was sympathetic to the cause but not to the policy, that he wanted to know what the Council thought, they were not going to make a decision and were not going to deliberate around the Council table, that maybe Council Member Holm could be a point of contact to get the views of Council. Council Members Edwards and Green absent.

Council Member Alvarado stated that she wanted to officially request a response from the Judy Johnson, Director, Finance and Administration, when the Legislature passed their package of five bills to reduce local school property tax there was not a lot of talk about how that affected cities, but basically what would happen was the amount that each City paid to the Central Appraisal District, the CAD, was going to go up and she was not sure how that was going to impact them because the school taxes would go down and then that burden would shift to the Cities, Counties and special taxing districts, in the upcoming year the reduction, she thought it was about 11%, the school taxes would go down and in the following year they would be reduced by another 25% so she did not know if the administration had looked at what that meant to what the City would be paying, what their increase would be, and every City across the State and County as well, so it was possible that their funding to the CAD could go up about 16.5%, she would like to get a response on that. Council Members Lawrence, Edwards, Holm and Green absent.

Council Member Alvarado stated that she was sure most of them had seen the front page story today regarding the Surgeon General Carmona's very strong study on the dangers of second hand smoke and that had been an issue that they had certainly discussed at Council and last year took some pretty significant steps, that she and the Mayor had always been in agreement that they ought to approach it incrementally and in light of yesterday's very scathing report she would be having some hearings at their committee on Public Health and the Environment starting in August and hopefully be able to bring something to Council in September and that would give them time to have discussions with stakeholders and certainly have ample time for testimony, she was not going to rehash the votes from last year, but certainly to let her colleagues know of what they planned to be doing on the committee of Public Health and the Environment. Council Members Lawrence, Edwards, Holm and Green absent.

Mayor White stated that they were having the study done within F&A to see what the effect of Dallas bar revenues and what the effect it had been on restaurant revenues since last year within their City, so they would have that data point as well. Council Members Lawrence, Edwards, Holm and Green absent.

Council Member Wiseman stated that she had some photos on the matter with the heavy trash collections in Elmgrove in the Kingwood area, the trash had been collected but there had been delays and she understood there had been consistent delays, that it was taking a week to two week delay on a consistent basis so the Mayor's assistance in addressing the issue and determining where the problem lay would be appreciated. Council Members Lawrence, Edwards, Holm, Green and Berry absent.

Council Member Wiseman stated that she knew there had been some talk about construction work on Kingwood Drive with respect to changes with the medium in front of Kingwood High School, there was some confusion in the community and there was a belief that the City of Houston would be closing down Kingwood Drive for periods of time and that was not the case, in fact the concern extended further to the issue with the TXDOT project and the



closing of overpasses and she wanted to reassure the community that she had visited with representatives of from Public Works and that was not the case, the work that they would take on with the changes in those esplanades would occur after the overpasses were shut down so as not to put any additional pressures on traffic and congestion in Kingwood. Council Members Lawrence, Edwards, Holm, Green and Berry absent.

Council Member Wiseman stated that she was ready to head of to Florida to witness the launching of NASA's next and most critical mission, STS121, Discovery would launch on Saturday afternoon and she was very excited to be able to be there and lend support, that Johnson Space Center was in her district in Clear Lake and Clear Lake was very excited as was the rest of the City and the Nation, they anticipated a successful mission and wanted to recognize the individuals taking part, Commander Steve Lindsey, Pilot Mark Kelly, Mission Specialists Michael Fossum, Lisa Novak, Stephanie Wilson, Crew Members Piers Selles and Thomas Reiter, they wished them the best and their prayers and thoughts were with them. Council Members Lawrence, Edwards, Holm, Garcia, Green and Berry absent.

Council Member Sekula-Gibbs stated that she wanted to thank Mayor White and Council Member Alvarado for their comments in the Chronicle indicating that they were now ready for a comprehensive ban on smoking in the workplace, that she was happy to work with Council Member Alvarado in pushing forward for such a comprehensive ban on smoking in the workplace, that she thought it was time for the City of Houston to join many other cities across the United States in passing a comprehensive ban and taking a lead as one of the largest cities in the United States to do so. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Sekula-Gibbs stated that she wanted to wish Godspeed and God's protection to Mission STS121 at NASA Johnson Space Center and Cape Canaveral and wish them all the best. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Sekula-Gibbs stated that Dr. Gerald Dunnington, who worked at M. D. Anderson, sent a request for some help to her office, it regards the airports communication system with customers, that his 80 year old mother attempted to get to the airport and he went on line to see whether her flight was on time, he checked the website [www.fly2Houston.com](http://www.fly2Houston.com) and it said that the flights were on time, but before his mother could get to the airport she was blocked by flooded streets, so his request was that there be a better method for the airport to not only report flights on time but also to indicate to customers whether the police, City personnel or others might know whether the passage ways that were near the airport were open, that since they had the availability of cameras and reporting from other citizens who may find the streets blocks and the police do that sort of thing, that there be a link of communication between the people on the ground and the people making that information available on the City's website so there was an opportunity for people trying to get to the airport to know if they could get to the airport, that she hoped that the people at the airport were listening and maybe they would be available to discuss it with her further. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia and Green absent.

Council Member Khan stated that he wanted to bring an issue to their attention, it was regarding Turtlewood, a quiet community association, it was a subdivision which was located in District F off of Bellaire, the 6800 Block of Turtlewood Drive, that the builder who developed the subdivision, C J Design and Development, developed and installed an underground water and waste water sewer lines without meeting City code requirements, apparently he misled the City of Houston and set up only one main water meter using the incorrect using category as a condominium and then installed 47sub meters and billed 47 single family homeowners with

water and sewer costs without having any TCEQ permit, that basically he had the subdivision developed as single family residences but when it came to water meters he applied with the City of Houston as if they were condominium units where you could just put one meter, like condominium and apartment complexes did, and those people who were individual homeowners now had no way of figuring out how much water was being used and when they approached the City of Houston the City did not want to take that responsibility, they had limited choices, either they redid the water supply lines and put individual meters so that everybody could be billed appropriately or they could go through tremendous expenses every month to figure out through the submeters, the homeowners association had been working very closely with Public Works and Legal, that his question was how could it be possible through Public Works, was there any oversight in Public Works that should have been there, how could anybody develop a subdivision with single family residences and then have a water supply as a condominium, that now everybody was stuck and he requested Mayor White and Council Member Berry's attention as to what, if anything, could be done for those folks who were in a terrible situation with their water bills. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that he wanted to thank everybody that was involved in getting the Arab American Economic Summit to Houston, that it had been a wonderful way from people all over the world coming to Houston. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Berry stated that was music to his ears to hear what Council Member Edwards said, followed by Council Member Lawrence, with regard to the ambulance drivers, the paramedics and the firefighters responding to the scenes, that he knew they had all been to the fire stations and knew this was something that destroyed moral and destroyed their ability to efficiently deliver a service to the public, that being that they have told their firefighters that they were more worried about them not doing wrong than their doing right and if anyone criticizes they were always going to take the side of the media and the citizen and they had taken away the ability of the firefighters to use the common sense that they had to have to get that far in their careers, that he hoped that while they were seemingly in one accord that they could do something and have the political stomach to do something right. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Berry stated that they had a number of individual who came to Council and criticized the Body World Exhibit at the Museum of Natural Science and he took it upon himself to revisit the museum and went over and took a couple of people to see what they were doing over there and one of the things he discovered in his research was that there was an article in Discover Magazine that the group was using to say that they ought to shut down the exhibit and it was actually another exhibit and was going to be at another museum so it was truly a case of mistaken identity, that the museum was the fourth most visited museum in America and it was right here in Houston and they never talked about it, that most important was their outreach, that one HISD school reported that after a year of field trips to the Museum of Natural Science they raised their Science TAKS scores by 57 points, that he was glad that the museum had their support, especially on that particular issue he hoped that those who protesting a bad exhibit understood that the Museum of Natural Science would never do that. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Brown stated that it would be helpful to him and he thought to all Council Members, if they could get additional data and information about the HEC center, that he thought it was really important that they get the emergency response and citizen complaints

really working, that he would like to know what Mayor White's views were at solving the problems that seemed to exist. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Mayor White stated that he thought there were issues involving efficiencies for consolidated three desperate operations, caller intake through 9-1-1, a caller intake at HFD and HPD and the dispatch, but they tended to create an orphan agency that did not have the clout and ownership and direct accountability, plus there were real problems in blending the workforces at 9-1-1 and police and fire, and blending organizations did not take skills it took leadership, that HEC was responsible for call intake, fire for fire dispatch and police for police dispatch and anybody who confuses those lines of responsibility, except by the consent, was acting against the administration policy and he was holding those people accountable for the performance of their individual organizations and in this particular organization he did not believe there was some golden age of call intake and dispatch, from what he had been able to tell, but the unique situation they had here was that 99.6% was not good enough, and the technical issues that plagued the dispatch in the first 18 months had been by and large solved, and then there were management issues which had a bunch of different employees who did not like each other, which basically was a lack of leadership, if they asked him, that they could have people who were technical managers but if they walked into a room where people did not like each other they better be some of the best managers and leaders because they could not afford to fire everybody, and the third was staffing and band power and resources and Mr. Hall, Chief Boriski and Chief Hurr, he had some of the most talented public servants who had been given the task of making sure there was not, still within the fire and police silos they tended to look at HEC budget as HEC budget, police budget as police budget, fire budget as fire budget, they better not, they all had to look at those as a budget that they needed for those professionals to do their job thoroughly and they were going to do that, and finally, the state of labor practices and labor management and HR in the City of Houston was not an "A", it was on par with other governmental entities, it was not on par with the private sector and they had 30% and 40% who had open ended FMLA requests over there as they did four or five months ago, 40% and 50% in jobs where it was critical that people show up to their job, why was it that they had that there, he wanted to obey the federal law but when they look across City departments and it was not 30% or 40%, and so they made some management changes and personnel changes to install more organizational discipline within the organization. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Brown stated that he wanted to second what Council Member Alvarado said about looking forward to regulating indoor air as far as a Smoking Ordinance and as part of a continued program to improve environmental quality in Houston, that the report from the Surgeon General certainly helped and thought it would give them a strong basis for moving forward with that. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Brown stated that he was excited about moving forward with some Green Building Standards and he was not sure exactly where they were but there were a lot of things he thought they could do in that respect and knew they were doing in terms of the affordable housing program and would like to see where they get to the point where 100% of the City of Houston new construction or building remodeling would be lead certified, some cities had done that and it seemed to be a really good program, that he and Representative Turner were going to do an experimental program in Acres Homes with a new kind of light bulb that uses one fifth of the energy that a normal light bulb and did not cost \$8 a piece, but \$2.50 a piece, they were going to try and work that out and see if that would be a good program. Council Members

Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that one of the most ambitious and organized replacement of light bulbs in a major urban area occurred in Houston, Texas in the months February through May 2006 and what they wanted to do in Pleasantville with the light bulbs, they used the ones that were curly and fluorescent, they replaced 1,300, they were hoping that the staff at the Public Utility Commission and other parties realized the importance of conservation and support efforts that they were making that they hoped to bring to conclusion to provide other sources of funding for energy conservation so they could roll it out in neighborhood after neighborhood, and thought it would be a fantastic improvement, then if they wanted to do something that was not a gimmicky vote getting thing but was really a change then what would they do, it was easy to replace light bulbs in a house but then what would they do, there were volume purchases that were available near the neighborhoods so if people saw the benefits they would use them, what would they do after that, he thought it was very good, in some cities the electrical utilities subsidize the low energy consumption light bulbs, and Council Member Brown stated that the curly light bulb, he thought, was about \$7 a piece, and thought there was another light bulb which they were trying to find which was about \$2.50 a piece and did not have the curl, and the other interesting part of it was that it was not just the energy conservation but the bulb lasted for five years, so they were saving the cost on buying new bulbs, that it may seem like a small effort but it all added up. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Brown stated that he was excited about what he had heard so far about recycling, that was something that seemed to be catching on and a good model for that was Seattle, they were recycling over 40% of their solid waste and thought that Houston was at 8% right now. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Brown stated that Section 179D of the Internal Revenue Code which allowed for a substantial tax deduction, up to \$1.80 per square foot in a commercial building if they reduced their energy costs through various means and that was another thing that they could be promoting, that he thought they could move forward with a multi pronged energy conservation environmental program that could do some really good things for the City and he looked forward to being part of that. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Clutterbuck stated that they were getting ready to have the 230<sup>th</sup> celebration of the birth of the greatest Country in the history of the world, the Fourth of July next week and she invited her fellow Houstonians to celebrate with them, that she thanked God everyday for being born in this Country at this time and the privilege of being able to live in this City and they were going to have a wonderful Freedom Festival Celebration on Tuesday and encouraged everybody to come downtown and join in the festivities. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 12:01 p.m. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

DETAILED INFORMATION ON FILE IN THE OFFICE OF THE CITY SECRETARY.

MINUTES READ AND APPROVED

/S/Anna Russell

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Anna Russell, City Secretary